



General Assembly

January Session, 2009

Substitute Bill No. 1010

* SB01010PS_PH_031109 *

**AN ACT CONCERNING EXPOSURE TO INFECTIOUS DISEASES AND
EMERGENCY RESPONDERS.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2009*) (a) As used in this
2 section:

3 (1) "Infectious disease" includes (A) infectious pulmonary
4 tuberculosis, (B) hepatitis A, (C) hepatitis B, (D) hepatitis C, (E) human
5 immunodeficiency virus (HIV), including acquired immunodeficiency
6 syndrome (AIDS), (F) diphtheria, (G) pandemic flu, (H) methicillin-
7 resistant staphylococcus aureus, (MRSA), (I) hemorrhagic fevers, (J)
8 meningococcal disease, (K) plague, and (L) rabies;

9 (2) "Exposure" means a percutaneous or mucous membrane
10 exposure of an individual to the blood, semen, vaginal secretions, or
11 spinal, synovial, pleural, peritoneal, pericardial or amniotic fluid of
12 another person;

13 (3) "Patient" means a person, whether alive or dead, who has been
14 treated, handled or transported for medical care by an emergency
15 services member as a result of an emergency;

16 (4) "Emergency services member" means any police officer as
17 defined in section 7-294a of the general statutes, member of a paid or
18 volunteer fire department, emergency medical technician, ambulance

19 driver, or paramedic as defined in section 19a-175 of the general
20 statutes, when acting in an official capacity;

21 (5) "Emergency medical technician" means any class of emergency
22 medical technician certified under regulations adopted pursuant to
23 section 19a-179 of the general statutes, including, but not limited to,
24 any emergency medical technician-intermediate or medical response
25 technician;

26 (6) "Emergency services organization" means the Division of State
27 Police within the Department of Public Safety, an organized local
28 police department, municipal constabulary, paid or volunteer fire
29 department, ambulance company or any organization whether public,
30 private or voluntary which offers transportation or treatment services
31 to patients under emergency conditions;

32 (7) "Hospital" has the same meaning as in section 19a-490 of the
33 general statutes; and

34 (8) "Designated officer" means the employee or volunteer of an
35 emergency services organization designated in accordance with
36 subsection (b) of this section.

37 (b) Each emergency services organization shall designate one
38 employee or volunteer to act as the designated officer to receive
39 notification of cases of possible exposure to infectious disease,
40 investigate cases of possible exposure, maintain hospital contact
41 information, request further information from hospitals and maintain
42 any records required under this section.

43 (c) (1) Any hospital that diagnoses a transported patient as having
44 infectious pulmonary tuberculosis shall verbally notify the designated
45 officer of the emergency services organization that attended, treated,
46 assisted or transported such patient no later than forty-eight hours
47 after making such a diagnosis, and shall make such notification in
48 writing not later than seventy-two hours after such diagnosis. Such
49 notification shall include, but not be limited to, the diagnosis and the

50 date on which the patient was attended, treated, assisted or
51 transported as a result of an emergency to such hospital, provided the
52 identity of the patient shall not be disclosed in any such notification.

53 (2) Any hospital that determines that a patient, who died at or
54 before reaching such hospital and who was attended, treated, assisted
55 or transported by an emergency services member, had infectious
56 pulmonary tuberculosis shall notify the designated officer of such
57 determination no later than forty-eight hours after making such
58 determination.

59 (d) (1) Any member of an emergency service organization who
60 believes that he or she may have been exposed to an infectious disease
61 through the member's contact with a patient who was attended,
62 treated, assisted or transported by the member shall report such
63 possible exposure to the designated officer. The designated officer
64 shall immediately collect the facts surrounding such incident of
65 possible exposure and evaluate such facts to make a determination of
66 whether it would be reasonable to believe that the member may have
67 been exposed to an infectious disease. If the designated officer
68 determines that there may have been possible exposure to an
69 infectious disease, the designated officer shall submit a written request
70 to the hospital that received the patient requesting to be notified of the
71 results of any test performed on the patient to determine the presence
72 of an infectious disease. The request shall include:

73 (A) The name, address and telephone number of the designated
74 officer submitting the request;

75 (B) The name of the designated officer's employer or, in the case of a
76 volunteer emergency services member, the entity for which the
77 designated officer volunteers, and the name and contact information of
78 the emergency services member who was possibly exposed to the
79 infectious disease; and

80 (C) The date, time, location and manner of the exposure.

81 (2) Such request shall be valid for ten days after it is made. If at the
 82 end of such ten-day period no test has been performed to determine
 83 the presence of an infectious disease, no diagnosis has been made or
 84 the result of the test is negative, the hospital shall so notify the
 85 designated officer who made the request. The notification shall not
 86 include the name of the patient.

87 (3) Any hospital that receives a written request for notification shall
 88 give an oral notification of the presence of an infectious disease or of a
 89 confirmed positive test result, if known, to the designated officer no
 90 later than forty-eight hours after receiving such request, and shall send
 91 a written notification no later than three days after receiving such
 92 request. If an infectious disease is present or the test results are
 93 confirmed positive, both the oral and written notification shall include
 94 the name of the infectious disease and the date on which the patient
 95 was attended, treated, assisted or transported by the emergency
 96 services organization. Such notification shall not disclose the name of
 97 the patient.

98 (4) If a designated officer makes a request pursuant to this
 99 subsection and the patient has died at, or before reaching, the hospital
 100 receiving such request, the hospital shall provide a copy of the request
 101 to the medical facility ascertaining the cause of death if such facility is
 102 not the hospital that received the original request.

103 (e) No cause of action for damages shall arise, or any civil penalty be
 104 imposed, against any hospital or any designated officer for failure to
 105 comply with the duties established by this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2009	New section

Statement of Legislative Commissioners:

Former subsections (c) and (d) were redesignated (c)(1) and (c)(2) and the remaining subsections relettered accordingly for clarity.

PS

Joint Favorable Subst. C/R

PH